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Docket No. 377882000900 11600/2900

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Box AF, Assistant Commissioner for Patents, Washington, D.C., 20231, on January 14, 2003.

Rhea Amid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#17/Supper
I.D.S.

In the application of:

Gary VAN NEST

Serial No.: 09/802,686

Filing Date: March 9, 2001

For: METHODS OF PREVENTING AND
TREATING RESPIRATORY VIRAL
INFECTION USING
IMMUNOMODULATORY
POLYNUCLEOTIDE SEQUENCES

Examiner: R. Schnizer

Group Art Unit: 1635

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97

Box RCE
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

SIDS based on Search Reports

The documents listed on the attached Form PTO-1449 were cited in various Search Reports directed to counterpart international applications.

This Supplemental Information Disclosure Statement is submitted:

- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114; accordingly, no fee or separate requirements are required.
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - A fee is required. A check in the amount of * is enclosed.
 - A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
 - A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 377882000900. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: January 14, 2003

Respectfully submitted,

By: Karen R. Zachow
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